



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

CABLE TELEVISION

IN THE MATTER OF TIME WARNER CABLE -)
BERGEN COUNTY FOR APPROVAL OF THE)
FILINGS OF FCC FORMS 1240, AN ANNUAL) ORDER ADOPTING STIPULATION
UPDATING OF THE MAXIMUM PERMITTED)
RATE FOR THE REGULATED BASIC CABLE)
SERVICE, AND IN CONNECTION THEREWITH) DOCKET NOS. CR00100715
FCC FORM 1205 DETERMINING REGULATED) CR00100716
EQUIPMENT AND INSTALLATION COSTS)
USING THE OPTIONAL EXPEDITED RATE)
PROCEDURES)

(SERVICE LIST ATTACHED)

BY THE BOARD:

On October 2, 2000, Time Warner Cable – Bergen County (“Petitioner”) filed Federal Communications Commission (“FCC”) Form 1240, Docket Number CR00100715, seeking approval by the Board of Public Utilities (“Board”) for an annual rate adjustment in its maximum permitted rates resulting from an adjustment for inflation, programming costs, copyright fees and a channel addition and Form 1205, Docket Number CR00100716, for regulated equipment and installation costs pursuant to the Cable Television Consumer Protection and Competition Act of 1992, 47 U.S.C. § 543 et seq., and provisions of the New Jersey Cable Television Act, N.J.S.A. 48:5A-1 et seq.

The Board, at its public meeting on January 10, 1996, in Docket Number CX95120636, approved the implementation of Optional Expedited Rate Procedures for the processing of certain filings made with the Office of Cable Television (“OCTV”). The intended purpose of these procedures is to grant final rates as quickly as possible to any cable company that chooses this process. In the spirit of cooperation based on the principles of Alternate Dispute Resolution (“ADR”), the discovery content is limited, thereby reducing the timeframe for settlement.

Petitioner chose to pursue its filings with the Board through the approved procedures. To that end, a pre-transmittal conference was held on November 3, 2000 and attended by representatives of the Petitioner, the Division of the Ratepayer Advocate and Board Staff. Petitioner agreed to waive its Office of Administrative Law (“OAL”) litigation rights for these matters. It should be noted that Petitioner’s waiver was a knowing, voluntary and intelligent waiver of its litigation rights at the OAL and that the waiver did not constitute a circumvention of the FCC’s rules nor did it affect Petitioner’s right to appeal in that forum.

Petitioner notified its customers of the rate changes by way of a newspaper announcement informing them of their opportunity to submit written comments to the Board for a period of thirty days. The notice appeared in the Bergen Record on December 8, 2000. During this time, no comments were received as a result of this public notice.

Upon review by Staff and the Ratepayer Advocate of the supporting documentation, schedules and other discovery requests, a settlement conference was held on December 5, 2000. On January 10, 2001, the parties entered into a Stipulation of Settlement.

The Board has reviewed the Stipulation and finds it to be reasonable, in the public interest and in accordance with the law. Therefore, the Board HEREBY ADOPTS the Stipulation of Settlement (attached hereto) as its own, incorporating by reference the terms and conditions therein as if fully set forth at length herein.

DATED: January 31, 2001

BOARD OF PUBLIC UTILITIES
BY:

(signed)

HERBERT H. TATE
PRESIDENT

(signed)

FREDERICK F. BUTLER
COMMISSIONER

ATTEST:

(signed)

FRANCES L. SMITH
BOARD SECRETARY

IN THE MATTER OF
TIME WARNER CABLE – BERGEN COUNTY
FCC FORMS 1240 AND 1205 USING THE
OPTIONAL EXPEDITED RATE PROCEDURES

DOCKET NOS. CR00100715, CR00100716

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